



3-7-06

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PATENT

Attorney Docket No. 223467

Client Reference No.

Date: March 6, 2006

In re Application of: WOODAL
 Application No. 10/802,200
 Filed: March 17, 2004
 For: LYOPHILIZED AZITHROMYCIN FORMULATION

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a reply to a Second Preliminary Amendment in the subject application.

- ☐ Small entity status is claimed for this application under 37 CFR 1.27.
- ☐ Petition for an extension of time for the period noted below, as well as for any additional period necessary to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☐ Other:
- ☒ Please charge Deposit Account No. 12-1216 in the total amount indicated below. A duplicate copy of this transmittal sheet is enclosed herewith.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY		
TIME EXTENSION PETITION FEE			none		\$ 0.00		\$ 0.00		
subtract time extension fee previously paid			none		(\$ 0.00)		(\$ 0.00)		
CLAIM FEE		CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADD'L CLAIM FEE	RATE	ADD'L CLAIM FEE
TOTAL		65	MINUS	65	= 0	x 25 =	\$	x 50 =	\$0
INDEPENDENT		6	MINUS	6	= 0	x 100 =	\$	x 200 =	\$0
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 180 =	\$	+ 360 =	\$	
TOTAL AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT					TOTAL	\$	TOTAL	\$0	

- ☒ The Commissioner is hereby authorized to charge any deficiencies in the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216.
- ☒ Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LEYDIG, VOIT & MAYER, LTD.

By 

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/802,282

Applicant: WOO et al.

Filed: March 17, 2004

TC/AU: 1623

Examiner: Unassigned

Docket No.: 223467

Customer No.: 23460

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

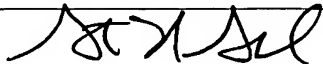
SECOND PRELIMINARY AMENDMENT

Dear Sir:

Prior to the examination of the above-identified patent application, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being <input checked="" type="checkbox"/> deposited with the U.S. Postal Service using "Express Mail" service in an envelope addressed in the same manner indicated on this document with Express Mail Label Number EV 420405266 US, <input type="checkbox"/> deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed in the same manner indicated on this document, or <input type="checkbox"/> facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Steven H. Sklar		
Signature		Date	March 6, 2006